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Date: March 18, 2002

By: Lynnea B. Anderson
Lynnea B. Anderson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

LEE et al.

APPLICATION No.: 09/499,693

FILED: FEBRUARY 8, 2000

FOR: HIGHER UNSATURATED FATTY ACID
COMPOSITION

EXAMINER: WELLS, LAUREN Q.

ART UNIT: 1619

CONFIRMATION No.: 1622

PATENT
TECH CENTER 1600/2900

APR 01 2002

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Request for Continued Examination (RCE) Transmittal

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,
provides for continued examination of an utility or plant application,
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Box: RCE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

04/09/2002 GANTHONY 00000002 500665 09499693

Sale Ref: 00000002 DAB: 500665 09499693

01 FC:203 162.00 CH is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of
02 FC:202 210.00 CH the above-identified application.

Note: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

03/29/2002 AWONDAF1 00000072 500665 09499693

01 FC:279 370.00 CH

1. Submission required under 37 C.F.R. §1.114

- a. ☐ Previously submitted
☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed
 (Any unentered amendment(s) referred to above will be entered.)
☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
☐ Other
- b. ☒ Enclosed
☒ Amendment/Reply
☐ Affidavit(s)/Declaration(s)
☐ Information Disclosure Statement (IDS)
☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months.
 (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other

3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0665.
☒ RCE fee required under 37 C.F.R. §1.17(e) \$370
☐ Extension of time fee (37 C.F.R. §1.136 and §1.17)
☐ Other
- b. ☒ The Director is hereby authorized to charge any underpayment in fees (or credit any overpayments) to Deposit Account No. 50-0665.

Respectfully submitted,
 Perkins Coie LLP

Date: March 18, 2002

Jacqueline F. Mahoney
 Jacqueline F. Mahoney
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4/4/02



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Lee and Kim

SERIAL No.: 09/499,693

FILED: February 8, 2000

FOR: **HIGHER UNSATURATED FATTY ACID COMPOSITION**

EXAMINER: Wells

ART UNIT: 1619

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Amendment Under 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office action dated August 28, 2001 in the above-identified application, please amend the above-identified application as follows.

In the Claims: Cancel claims 2, 5, 7, and 9-18, without prejudice; replace claims 1, 6, 8, 19, and 21 with the following rewritten claims; and add new claims 23-45. Attached is a separate page captioned "Version with Markings to Show Changes Made" with a marked-up version of the claims to show the changes made.

D1 1. (Twice Amended) An unsaturated fatty acid composition consisting essentially of linoleic fatty acid (n-6, 18:2) and α-linolenic fatty acid (n-3, 18:3) wherein the weight ratio of said linoleic fatty acid to said α-linolenic fatty acid in said composition is 0.05-2.0.

D2 6. (Amended) A capsule consisting essentially of linoleic fatty acid (n-6, 18:2) and α-linolenic fatty acid (n-3, 18:3) wherein the weight ratio of said linoleic fatty acid to said α-linolenic fatty acid in said capsule is 0.05-2.0.